

EXHIBIT E

LD 832



Federal Communications Commission
Washington, D.C. 20554

May 7, 2019

Barry Hobbins
Office of the Public Advocate
State of Maine
112 State House Station
Augusta, Maine 04333-0112

Re: State of Maine Letter Request – Proposed Legislation LD 832, Regulation of Cable
Television Services

Dear Mr. Hobbins:

This letter is in response to your letter dated March 27, 2019, regarding the above-referenced proposed legislation. In your letter, you asked whether a State mandate that a cable operator provide services on an a la carte basis would be preempted by federal law. This poses a question of first impression and we could not locate any specific Commission ruling that addresses your exact issue. Thus, we are not in a position to express an opinion on the question you raise. However, you may find helpful two Commission staff reports addressing a la carte pricing, issued in 2004 and 2006¹. A policy debate regarding whether to require cable operators to provide services on an a la carte basis has been at times active both in Congress and at the Commission.

Sincerely,

Patrick Webre, Chief
Consumer and Governmental Affairs Bureau
Federal Communications Commission

¹ See Report on the Packaging and Sale of Video Programming Services to the Public, FCC Media Bureau, November 18, 2004, available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-254432A1.pdf; Further Report on the Packaging and Sale of Video Programming Services to the Public, FCC Media Bureau, Feb. 9, 2006, http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-263740A1.pdf.